



UNITED STATES PATENT AND TRADEMARK OFFICE

h2

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,126	01/30/2002	Arnold Kholodenko	6089P1/CALB/ECP/PJS	2260
32588	7590	03/12/2004	EXAMINER	
APPLIED MATERIALS, INC. 2881 SCOTT BLVD. M/S 2061 SANTA CLARA, CA 95050			NICOLAS, WESLEY A	
			ART UNIT	PAPER NUMBER
			1742	

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/061,126	KHOLODENKO, ARNOLD
	Examiner Wesley A. Nicolas	Art Unit 1742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 23 December 2003.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-17 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-17 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

This is in response to the amendment submitted December 23, 2003. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-17 are currently pending in this application.

Election/Restriction

1. Applicant's cancellation of claims 18-36 has been noted. Applicant may re-file said claims in a divisional application.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See In re Goodman, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); In re Longi, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); In re Van Ornum, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); In re Vogel, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, In re Thorington, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double

patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-17 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 22-27 of copending Application No. 09/905,513 in view of Miller et al. (U.S. 4,801,865).

Claims 1-17 are rejected because it would have been obvious and within the ordinary skill in the art at the time the invention was made to have applied the contact pins by brazing as taught by Miller et al. because Miller et al. teach that brazing is a common method of attaching contact pins (col. 3, lines 1-9) which would have increased the continuity of the bond because brazing is typically at a higher temperature than welding.

It should be noted that a Notice of Allowance was issued in 09/905,513 on February 18, 2004.

This is a provisional obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 103

4. Claims 1, 3-5, 7-9, 11-13, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dordi et al. (WO 99/54920), and further in view of Miller et al. (U.S. 4,801,865).

The 35 U.S.C. § 103 rejection of claims 1, 3-5, 7-9, 11-13, and 15-17 as set forth in the previous Office action has been **maintained** and is incorporated herein.

5. Claims 1-2, 7, 9-10, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crafts et al. (U.S. 5,807,469), and further in view of Miller et al. (U.S. 4,801,865).

The 35 U.S.C. § 103 rejection of claims 1-2, 7, 9-10, 15, and 17 as set forth in the previous Office action has been **maintained** and is incorporated herein.

6. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Dordi et al. - Miller et al. combination, as applied to claims 1 and 9 above, and further in view of Woodruff et al. (U.S. 6,309,524).

The 35 U.S.C. § 103 rejection of claims 6 and 14 as set forth in the previous Office action has been **maintained** and is incorporated herein.

7. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Crafts et al. - Miller et al. combination, as applied to claims 1 and 9 above, and further in view of Woodruff et al. (U.S. 6,309,524).

The 35 U.S.C. § 103 rejection of claims 6 and 14 as set forth in the previous Office action has been **maintained** and is incorporated herein.

Remarks - Response to Arguments

8. Applicant's arguments filed December 23, 2003, have been fully considered but they are not persuasive.

As set forth above, the double patenting rejection in view of application 09/905,513 has been maintained. Applicant requested that said rejection/objection be held in abeyance until 09/905,513 issued as a patent. A notice of allowance was issued in said application on February 18, 2004. Therefore, Applicant should submit a terminal disclaimer in response to this Final rejection.

Regarding the rejection of claims 1, 3-5, 7-9, 11-13, and 15-17 over Dordi et al. in view of Miller et al., Applicant argues that said rejection is improper because "Dordi et al. fails to teach, show, or suggest an annular conductive body adapted to support the substrate." (amendment submitted 12/23/03, page 5). In response, Examiner must respectfully disagree. The phrase "annular conductive body" in independent claims 1, 9, and 17 is being given its broadest possible meaning. In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989). Applicant has not included the term "unitary" or "continuous" in conjunction with "annular conductive body" and as such, the metal wires **358** are sufficient to meet Applicant's claimed limitation of "annular conductive body."

Regarding the rejection of claims 1-2, 7, 9-10, 15, and 17 over Crafts et al. in view of Miller et al., Applicant argues that said rejection is improper because, "Crafts et al. fails to teach, show or suggest an annular conductive body adapted to support the substrate." (amendment submitted 12/23/03, page 6). In response, as was similarly argued above, Examiner must respectfully disagree. The phrase "annular conductive body" in independent claims 1, 9, and 17 is being given its broadest possible meaning.

In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989). Applicant has not included the term "unitary" or "continuous" in conjunction with "annular conductive body" and as such, the plural tabs **314** are sufficient to meet Applicant's claimed limitation of "annular conductive body."

Regarding the rejection of claims 6 and 14, since Applicant has not separately argued the patentability of said claims, they will not be further addressed.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley Nicolas whose telephone number is (571) 272-1247. The examiner can normally be reached on Mon.-Thurs. from 7 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King, can be reached at (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wesley A. Nicolas
Primary Examiner

March 9, 2004